

JERSEY / JUDGMENT

Capuano v Att. Gen. [2014]

2 JLR 95 (30 July 2014)

[2014] 2 JLR 95

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Procedure-fair trial-bias-apparent bias-whether fair-minded and informed observer would
conclude real possibility of bias arising from Bailiff's knowledge of defendant's previous
convictions when exercising casting vote under Royal Court (Jersey) Law 1948, art. 15(4)
depends on facts of individual case-observer to consider all relevant facts, including
Bailiff's ability to disregard irrelevant and inadmissible material-Bailiff not required
publicly to direct himself to disregard defendant's previous convictions-may be difficult to
avoid appearance of bias if, for example, Bailiff has intimate knowledge of defendant's
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